

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAURICE PRESTON,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 1:21-cv-336-HBK (SS)

ORDER GRANTING MOTION TO PROCEED
IN FORMA PAUPERIS AND DIRECTING
CLERK TO ISSUE SUMMONS

(Doc. No. 2)

Pending before the Court is Plaintiff's motion for leave to proceed *in forma pauperis* under 28 U.S.C. § 1915 in this Social Security appeal. (Doc. No. 2). Plaintiff's declarations in the motion satisfies the requirements under § 1915 to proceed *in forma pauperis*.

By separate order, this Court will issue a Scheduling and Briefing Order. Plaintiff is directed to paragraph 1 of that Order. Plaintiff shall promptly file proof of service with the Court upon completion of service.

Accordingly:

1. Plaintiff's motion for leave to proceed *in forma pauperis* (Doc. No. 2) is **GRANTED**.
2. The Clerk of Court shall attach its "Instructions for Service of Social Security Appeals" to this Order.

1 3. The Clerk is directed to issue summons.

2 4. Plaintiff shall promptly review the above-referenced Instructions for Service of Social
3 Security Appeals and provide the clerk's office with the documents requested therein no later
4 than fourteen (14) days form the date on this Order. Plaintiff is advised service must be completed
5 in compliance with Fed. R. Civ. P. 4, and failure to comply with Fed. R. Civ. P. 4(m) may result
6 in the dismissal of the case without further notice.

7 5. The United States Marshal is directed to serve a copy of the complaint, summons, and
8 this order upon the Commissioner. Plaintiff must assist the U.S. Marshal upon request.

9 6. Within five (5) days of receiving the return of service from the U.S. Marshal, **Plaintiff**
10 **shall file the return of service with the court.**

11
12 IT IS SO ORDERED.

13 Dated: March 10, 2021

14 
15 HELENA M. BARCH-KUCHTA
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27
28